

Amendment Under 37 C.F.R. 1.111  
U.S. Appl No. 10/522,618  
Attorney Docket No. 052009

**REMARKS**

As a preliminary, Applicants and Applicants' representative thank the Examiner for the interview of February 2, 2009.

By the present amendment, claim 1 has been amended to clarify that "a length of time between the time when the polymer film is brought into contact with the aqueous solvent and a time when swelling of the polymer film occurs abruptly is 15 to 25 seconds."

Further, new claims 32-34 have been added.

Support for the added recitations is found in the original application, in particular on page 3, line 8, page 4, line 35, page 6, lines 24 and 33-35, and page 13, lines 17-18.

Claims 1, 8-9, 11-18, and 34 are pending in the present application.

I. **Indefiniteness rejection**

In the Office Action, claims 1, 8-9, 11-18, and 31 are rejected under 35 U.S.C. 112, second paragraph, as indefinite. It is alleged in the Office Action that the term "abruptly" is not explicit.

Claim 1 has been amended to clarify that "a length of time between the time when the polymer film is brought into contact with the aqueous solvent and a time when swelling of the polymer film occurs abruptly is 15 to 25 seconds."

In view of the above, it is submitted that the rejection should be withdrawn.

II. **Art rejections**

In the Office Action the following rejections are made:

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- Claims 1, 8, 14-17 and 31 are rejected under 35 U.S.C. 103(a) as obvious over Ikemoto et al., JP10-153709A (“Ikemoto”),
- Claim 9 is rejected under 35 U.S.C. 103(a) as obvious over Ikemoto in view of Sanefuji et al., US2002/0001700A1 (“Sanefuji”),
- Claim 11 is rejected under 35 U.S.C. 103(a) as obvious over Ikemoto in view of Harita et al., US2001/0024322A1 (“Harita”),
- Claim 12 is rejected under 35 U.S.C. 103(a) as obvious over Ikemoto in view of Burger, US3,492,185 (“Burger”),
- Claim 13 is rejected under 35 U.S.C. 103(a) as obvious over Ikemoto in view of Kondo, JP2000-147252 (“Kondo”), and
- Claim 18 is rejected under 35 U.S.C. 103(a) as obvious over Ikemoto et al. in view of US5,071,906 to Tanaka et al. (“Tanaka”).

It is alleged in the Office Action that Ikemoto teaches the method of claim 1 except that Ikemoto “doesn’t explicitly teach” the feature “within a time up to when swelling reaches the saturation state,” but that Ikemoto concerns polarization films that are “wrinkle free” and describes “general problems involved with swelling and the transport of swelled films, as well as a range of film submergence,” so that this feature is an obvious optimization (see Office Action at page 3).

The rejection is respectfully traversed. Contrary to the assertion in the Office Action, Ikemoto does not teach result-effective variables.

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In particular, a person of ordinary skill in the art would not be motivated to attempt short contact times based on Ikemoto's teaching that "dipping amount" is "4-6 minutes" (Ikemoto at paragraph 0011). To the contrary, the teachings of Ikemoto teach away from attempting to reduce the timing in the swelling bath.

In addition, Ikemoto does not provide any teaching regarding the position of first and second rollers in a swelling bath.

In contrast, the present inventors studied the occurrence of the swelling process and as a result, they provided the first guide roll before a main swelling of the film, which made it possible to reduce overall impregnation time considerably. Such reduction was completely unexpected, especially in view of Ikemoto.

Reference is made to the experimental results and evaluations reported in the examples and comparative examples of the present specification. In particular, Example 1 and Comparative example 1 have essentially similar conditions (up to approximately the same total swelling time), except timing before the first roller and timing between the first and second rollers. Thus, these examples show the unexpected improvement provided by the presently claimed invention.

Further, reference is made to the additional experimental results and evaluations reported in the Declaration under 37 C.F.R. 1.132 which is submitted with this paper.

In particular, the additional experimental results and evaluations confirm and illustrate that the presently claimed method provides unexpectedly improved optical properties for:

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- a range of swelling bath temperatures (see paragraph 7, Example 1 and Additional Examples 1 and 2),
- a range of time periods (b) between contact with the first roll and contact with the second roll within the scope of the present claims (see paragraph 8, Example 3 and Additional Example 3; see also Example 7),
- a range of time periods (a) between contact with the swelling bath and contact with the first roll within the scope of the present claims (see paragraphs 9, Example 8 and Additional Example 2, and paragraph 11, Additional Example 3 and Comparative Example 1; see also Examples 3 and 6), and
- a range of stretch ratios in the swelling bath (see paragraph 10, Example 1 and Additional Example 4).

In view of the above, it is submitted that the Applicants have made a showing of unexpected results commensurate with the scope of the present claims. Accordingly, the present claims are not obvious over the cited references taken alone or in any combination.

In addition, with respect to the dependent claims, it is submitted that the cited references fail to teach or suggest the combined features of these respective claims. In particular, with respect to each of claims 32-34, there would have been no motivation or incentive to arrive at the features as recited in each of claims 32-34, and the Applicants have made a showing of unexpected results commensurate with the scope of each of claims 32-34. Therefore, each of the

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dependent claims, and in particular each of claims 32-34, is not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejections should be withdrawn.

Conclusion

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

If there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

If this paper is not timely filed, Applicant(s) respectfully petition(s) for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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